

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1 and 11-33 are currently pending. Claims 1 and 11-33 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.¹

In the outstanding Office Action, Claims 1 and 11-33 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,092,952 to Wilens (hereinafter “the ‘952 patent”).

Amended Claim 1 is directed to an information transmission apparatus, comprising:

reception means for receiving a plurality of taste information that represent respective tastes of a plurality of users from a plurality of terminal apparatuses of the plurality of users;

storage means for storing the received plurality of taste information and group information associated with the plurality of users;

search means for searching for at least two taste information having a resemblance to each other from the plurality of taste information stored in the storage means;

retrieval means for retrieving at least taste information or group information associated with a first user of the at least two taste information searched by the search means, the retrieved taste information or group information not being associated with a second user of the at least two taste information; and

transmission means for transmitting the retrieved taste information or group information to a terminal apparatus corresponding to the second user of the at least two taste information.

Regarding the rejection of Claim 1 under 35 U.S.C. §102(e), the ‘952 patent is directed to a method of grouping computer subscribers by utilizing an algorithm to establish

¹ See, e.g., Figures 8 and 16 and the discussion related thereto in the originally filed specification.

non-intimate relationships by determining a level of similarity between computer subscribers. In particular, the Office Action cites the '952 match criteria for teaching "retrieval means for retrieving at least the attribute information of the at least two taste information searched by the search means." Further, the Office Action cites the '952 registering and storing of non-intimate profile information for teaching "transmission means for transmitting the retrieved attribute information to a terminal apparatus of a user corresponding to any one of the at least two taste information and not corresponding to the retrieved attribute information."² Further, with respect to the above retrieval means and transmission means, the Office Action further asserts that the '952 patent "teaches that when creating a group, users may specify their match criteria to search in order to match with members of their group."³

However, it is respectfully submitted that the '952 patent fails to disclose retrieval means for retrieving at least taste information or group information associated with a first user of the at least two taste information searched by the search means, the retrieved taste information or group information not being associated with a second user of the at least two taste information; and transmission means for transmitting the retrieved taste information or group information to a terminal apparatus corresponding to the second user of the at least two taste information. Rather, the '952 patent simply discusses that **once a user is grouped** with at least two fellow subscribers, **the group members and their common characteristics may be viewed**, as seen in Figure 8.⁴ The '952 patent further discusses that the user may select any previously formed group **of which they are a member** for viewing on the view group screen 30.⁵ That is, in the '952 patent, the user simply views information such as group name or common characteristics that are already associated with the user. The '952 patent does not

² See Office Action dated February 5, 2009, page 6.

³ Id. at page 4.

⁴ See the '952 patent, column 6, lines 55-67 and column 9, lines 34-36.

⁵ Id. at column 6, lines 58-63.

disclose retrieving and transmitting taste information or group information (of fellow subscribers) *that are not associated with the user*.

Thus, the '952 patent does not disclose the retrieval means and the transmission means recited in Claim 1. Accordingly, it is respectfully submitted that independent Claim 1 patentably defines over the '952 patent.

Amended Claim 11 recites, in part,

a transmission step of transmitting at least taste information or group information associated with a first user of the at least two taste information searched in the search step to a terminal apparatus corresponding to a second user of the at least two taste information, the transmitted taste information or group information not being associated with the second user of the at least two taste information.

Amended Claim 16 recites, in part,

a reception step of receiving taste information or group information associated with a second user of at least two taste information, the received taste information or group information not being associated with the first user of the at least two taste information and being information that the predetermined apparatus that has received the taste information at least transmits to the terminal apparatus corresponding to the first user of the at least two taste information, after searching for the at least two taste information having a resemblance to each other from the plurality of taste information stored therein.

As noted above, the '952 patent fails to disclose the retrieval means and the transmission means recited in Claim 1. Thus, the '952 patent fails to disclose the information transmission method and the information reception method recited in Claims 11 and 16, respectively. Accordingly, it is respectfully submitted that Claims 11 and 16 (and all associated dependent claims) patentably define over the '952 patent.

Amended Claim 21 recites limitations analogous to the limitations recited in Claim 1, but in non-means-plus-function format. Moreover, Claim 21 has been amended in a manner analogous to the amendments to Claim 1. Accordingly, for reasons analogous to the reasons

stated above for the patentability of Claim 1, it is respectfully submitted that Claim 21 (and all associated dependent claims) patentably defines over the '952 patent.

Amended Claim 26 recites, in part,

a reception unit configured to receive taste information or group information associated with a second user of at least two taste information, the received taste information or group information not being associated with the first user of the at least two taste information and being information that the predetermined apparatus that has received the plurality of taste information at least transmits to the terminal apparatus corresponding to the first user of the at least two taste information, after searching for the at least two taste information having a resemblance to each other from the plurality of taste information stored therein.

Amended Claim 31 recites, in part,

retrieving at least taste information or group information associated with a first user of the at least two taste information searched in the searching, the retrieved taste information or group information not being associated with a second user of the at least two taste information; and

transmitting the retrieved taste information or group information to a terminal apparatus corresponding to the second user of the at least two taste information.

Amended Claim 32 recites, in part,

transmission means for transmitting at least taste information or group information associated with a first user of the at least two taste information to a terminal apparatus corresponding to a second user of the at least two taste information, when the reception means receives taste information from one of the plurality of users, wherein

the transmitted taste information or group information is not associated with the second user of the at least two taste information.

As noted above, the '952 patent fails to disclose the retrieval means and the transmission means recited in Claim 1. Thus, the '952 patent fails to disclose the terminal apparatus, the computer-readable storage medium, the information transmission apparatus, and the information reception apparatus recited in Claims 26, 31, and 32, respectively.

Accordingly, it is respectfully submitted that Claims 26, 31, and 32 (and all associated dependent claims) patentably define over the '952 patent.

Amended Claim 33 is directed to an information reception apparatus, comprising:

transmission means for transmitting taste information that represents a taste of a first user to a server;

reception means for receiving at least taste information or group information associated with a second user of at least two taste information, from the server, the taste information or group information being transmitted to a terminal apparatus corresponding to the first user of the at least two taste information; and

registration means for registering the received taste information or group information as said first user's taste information or group information, wherein

the at least two taste information have a resemblance to each other and are searched by the server from a plurality of taste information that represent respective tastes of a plurality of users stored in the server, and

the received taste information or group information is not associated with the first user of the at least two taste information.

As noted above, the '952 patent fails to disclose the retrieval means and the transmission means recited in Claim 1. Thus, the '952 patent fails to disclose the reception means defined in Claim 33.

Further, it is noted that the Office Action cites the '952 server used to store and access subscriber information, with user profiles and groups for teaching the claimed registration means.⁶ However, as noted above, the '952 patent simply discusses that a user may view a group and common characteristics of corresponding group members, **after** the user is associated with the group. The '952 patent does not disclose that the '952 server registers received taste information or group information (transmitted to a terminal apparatus and

⁶ See Office Action dated February 5, 2009, page 20.

which are not associated with the first user of the at least two taste information) as said first user's taste information or group information, as recited in amended Claim 33.

Accordingly, it is respectfully submitted that Claim 33 (and all associated dependent claims) patentably defines over the '952 patent.

Thus, it is respectfully submitted that independent Claims 1, 11, 16, 21, 26, and 31-33 (and all associated dependent claims) patentably define over the '952 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

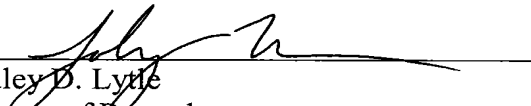
Respectfully submitted,

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